

APPROVED: Meeting No. 28-83

ATTEST: *Helen M. Hovsepian*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 25-83

July 18, 1983

The Mayor and Council of Rockville, Maryland, convened in work session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, on Monday, July 18, 1983, at 8:05 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow.

Re: Resolution: To approve form, and authorize execution, of Mall Agreement by and between the Mayor and Council of Rockville, Eisinger Associates, Kilbane Associates, Esre Contracting Company, Inc., Taylor Woodrow Blitman Property Corporation, N. Anthony Rolfe, Edward Sulzberger and Doris Rubin providing, inter alia, for amendments to contract for sale of land for private development by and between the Mayor and Council of Rockville and Rockville Redevelopment Associates dated November 24, 1969, and for use of portions of the parking garage owned by the Mayor and Council of Rockville.

Resolution No. 20-83

The City Attorney presented the Resolution to the Mayor and Council explaining it was necessary to pass this resolution because of a number of technical changes that were made in the Mall agreement since it was originally approved by the Mayor and Council.

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 20-83, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council authorizing the Mayor to sign the final Mall Agreement between the Mayor and Council of Rockville and Eisinger Associates, et al, was approved by the Mayor and Council.

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Re: Work Session with Historic  
District Commission

The Mayor and Council conducted a work session with the Historic District Commission. Present were Chairman Michael Patterson, Bryan Blundell and Charles Rand. Chairman Patterson discussed the role of the Historic District Commission in general and outlined next year's action program:

Action Item 1 - Recommended Additions to Existing Historic Districts

This program action is concerned with additions and modifications to existing zoned historic district boundaries. A Sectional Zoning Map Amendment would be the required action to implement this program recommendation.

Action Item 2 - Sidewalk Enhancement Program

The West Montgomery Avenue historic district is the largest and most complex historic district. A major theme of this action program is the enhancement of the environment and appearance of the streetscape within this area. Improvements include brick sidewalks, landscaping and tree planting.

Action Item 3 - B&O Railroad Station District:

The B&O Railroad Station historic district is undergoing considerable stress due to the razing of four historic structures (adjacent to and outside of the district) and Metro construction. Future redevelopment of the block should be carefully coordinated with the existing historic structures so as to add and not detract from the district. Recommendations to this effect are included in this program.

Action Item 4 - Continuing Historic Research

This action item recommends that the Commission undertake with outside assistance a concentrated program to update existing historic survey form, develop a catalog of historic sites and properties in the City and prepare an audio-visual slide or video taped show that illustrates the historic character and charm of the City and measures being taken to protect its heritage.

Action Item 5 - Tax Credits for Improvements to Historic District Properties

State enabling legislation permits property tax credits on improvements and additions to properties of certified historic value. Frederick County has implemented an historic district tax credit program. This action item recommends that the City initiate a similar program.

He also discussed tax assessors practices. Councilman Duncan asked for an outline of the Historic District Commission's priorities. This was given and Mr. Patterson explained the grant situation and the possibility of the Commission getting research assistance through volunteers if the Commission is successful in obtaining the grant. The question was brought forward on sidewalks in the Historic Area. The City Manager explained the problem sidewalks

are being repaired but it is too costly to do an overall replacement. The work is being done on an as needed basis. Councilman Abrams suggested that the special assessment process should be looked at to see how much interest is involved. The Historic District Commission was told they have the Mayor and Council's "okay" to proceed but the Mayor asked for a status report to be given on the action steps taken. Councilwoman Hovsepian asked if the addition of the parsonage building for the Jerusalem Methodist Church to the Historic District would present a hardship. Mr. Patterson explained the feelings of the Commission in that it would not present a hardship and he also noted the leniency that the Historic District Commission exhibits and the changing times.

Mr. Lewis Dale, Chairman of the Planning Commission commented and said the principal concern that he sees in the Historic District is the marketing of the program. It is not accepted across the spectrum so it might be best to sometimes separate some of the issues, such as sidewalks, and have this type of thing ironed out before you get into a wish list. Mr. Caban noted that it would seem to him that financing is another problem and can sometimes be counterproductive. The program should be marketed better and it should be prioritized so that people can be educated to convince them that the Historic District notation is not onerous. There are other types of things but it is too early to pinpoint specifics. Mayor Freeland suggested that a task force of citizens might be appointed who could come back with a consensus document. The Historic District Commission is obviously an advocate that takes its task seriously but this must be presented to the public especially those who do not fully agree. The Mayor and Council should not be the ones put on the spot with regard to Historic Districts. The recommendation should come through the Planning Commission. Mr. Blick suggested that the staff people look at the documents and not worry about details but get the material to the Council. There should be a good deal of notification to the public for boundary changes and financing should be looked at from the beginning. Councilwoman Hovsepian agreed and said that persons whose homes are the subject of change should be worked with and educated on the program. Mayor Freeland agreed and said the last thing the City wants to do is cause problems with people. He thanked the Historic District Commission for their work and their presence this evening.

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Re: Work Session: Planning Commission

Lewis Dale, Chairman of the Planning Commission, addressed the Council and noted that Granville Paules could not be here this evening. He did a lot of work on the annual report and they are most grateful. He introduced the other members of the Commission - Mrs. Manderscheid, Mrs. Barnett and Dr. Caban. He presented the annual report to the Mayor and Council which is a requirement of the law. He noted the purposes and goal of the Planning Commission which is to protect the integrity of the Master Plan and attract quality development to the City. He briefed the Council on the points appearing in the document explaining that in 1982 five issues dominated the Planning Commission's agenda. Historic Preservation was a major issue and Neighborhood Planning Program is now well under way and there has been increased citizen participation to help understand the neighborhood problems and get through the process. The Town Center with its Parking Management Plan, Winmar/Nordal, Eisinger, etc. Transportation has been a major issue and a continuing concern. Several work sessions have been held with the Traffic and Transportation Commission and with Ride-on etc. The fifth issue that has interested the Planning Commission is the school closing issues. He said the Planning Commission's work will continue with the Neighborhood study groups, Rockville Pike, Sign Ordinance, Transportation, re-examination of the Master Plan and an updated zoning ordinance. The Planning Commission will also be looking into an adequate Public Facilities Ordinance. Mayor Freeland said the Planning Commission has accomplished major items this year and the Mayor and Council are very much indebted to the Commission and he looks to continuing the excellent relationship. Councilmembers Duncan and Hovsepian agreed with Mayor Freeland. Councilman Abrams said he is curious that an Adequate Public Facilities Ordinance is viable. He asked if the Planning Commission has looked at alternatives.

Gaithersburg and Vicinity Master Plan Policy Issues

Mr. Dale said this is an issue of grand strategic importance to Rockville. In January, discussions began with a joint meeting between Rockville and Gaithersburg and the County Planning Board. Issues have been raised by the City that are substantive. A public hearing was held on this issue last Thursday. Dr. Caban outlined the City's presentation at the July 14 public hearing. It was the consensus of the group that there is a need to put together a fact sheet matrix that would graphically show the magnitude and the relationship of this new development with the neighboring municipalities. Mayor Freeland said he has spoken with the Gaithersburg Mayor and it is the feeling that this should be pursued with

considerable vigor. Gaithersburg has just as many concerns as Rockville. In fact, the City is prepared to go to court if necessary. There are threats being made to the quality of life to two existing communities and a strategy is needed. He suggested 1) the City join forces with Gaithersburg, 2) that the City talk to other planning areas relative to the MXPB Zone and possible application elsewhere in the County, 3) a focus on the MXPB Zone and opposition to it and 4) speak to organizations, business communities, etc. He asked that the staff prepare information on ways and means to argue the case at different levels. The City Manager will get back to the Mayor and Council with more information on this. He asked for a status report one week from tonight.

The Mayor and Council were briefed on the following items:

- o Thomas Farm
- o Annexation Policy
- o Western Arterial
- o Status of Economics of Amenities Rockville Pike Landscape Project
- o Status of Development Activity in Rockville
  - Prudential
  - Vitro
  - Hines
  - Westex
  - Westmont

Re: Executive Session

On motion of Councilman Abrams, the meeting was closed for executive session to discuss contractual negotiations.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 11:58 p.m. to convene again in general session on Monday, July 25, 1983, at 8:00 p.m. or at the call of the Mayor.